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RESPONSE UNDER 37 CFR 1.116 -  
EXPEDITED PROCEDURE - **AF**  
EXAMINING ART UNIT 3764 *mm*

July 3, 2005

Box AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Art Unit 3764, Application No. 10/764,427  
Examiner: Mr. Tam M. Nguyen

Amendment 3

Applicant submits the following comments and changes in response to Advisory Action mailed June 28, 2005.

1. Final Office Action rejected Claim 1 as "Chee discloses an apparatus comprising a frontal protrusion means (42) with a support (30,32) and a pendulum means (34) wherein the frontal protrusion means is worn by a user, the support effectively hangs the pendulum means, and the pendulum means is capable of providing hanging support to the ends of a user's lower arms to enhance arm-swing pendulum motion (see Fig. 2)."

2. Advisory Action indicated non-entry of amended Claim 1 as it included new issue, "a pendulum means about parallel to upper arm". Since the Final Office Action correctly applied Claim 1 in a very broad way to read on Chee, Applicant had tried to narrow the claim by referring to a subset of "a pendulum means" by including "parallel" to differentiate from Chee.

3. Without arguing the merits of 2 above and in light of the non-entry, Applicant requests to delete Claim 1 as previously submitted and to replace it with the following narrowed Claim 1:

1. A Fast Arm-Swing Tether system comprising  
a frontal protrusion means with a support located in front of chest at a distance less than length of lower arm away from chest, and  
a pendulum means *for each arm*;  
with said frontal protrusion means worn by an athlete;  
with said support at the frontal protrusion means effective to hang said pendulum means;  
with the pendulum means hanging from the support; and  
with the pendulum means effective in providing hanging support to *hand* ends of lower arms of said athlete so as to enhance arm-swing pendulum motion.

4. Chee's apparatus included a second pendulum means for each arm (20 of Figure 2) connected to wearer's elbows. Combining with straps (30, 32) used in the rejection, Chee locked the wearer's lower arms in a triangular configuration with respect to the straps' support points. Thus any swinging motion of the lower arms would be locked into rigid rotations from the support points. However, actual swinging motion would be limited and awkward at best since upper arm motion must include shoulder rotations, at different pivot points. In other words, wearer of Chee's device can not swing arms with ease, and indeed, Chee had designed his apparatus to support arms and to hold them steady for purposes of typing, rather than running. Without the second pendulum means employed by Chee for each arm, Applicant's invention achieves results not anticipated by the previous inventor.

Applicant hopes the above discussion has been presented with sufficient clarity and convincing arguments and has adequately addressed the Final Office Action and Advisory Action objections.

Sincerely,



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Mailing Certification

I hereby certify by my signature below that this correspondence will be deposited on July 4, 2005, with the USPS by First Class Mail postage prepaid to the address shown on the first page.

